

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA
ex rel. SCOTT M. ROSS, M.D.,

Plaintiffs,

v.

FAMILY DERMATOLOGY OF
PENNSYLVANIA, P.C., et. al.,

Defendants.

CIVIL ACTION NO.

1:11-cv-2413-AT

UNITED STATES' AND RELATOR'S JOINT STIPULATION
FOR DISMISSAL AS TO DEFENDANTS

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and in accordance with the terms and conditions of the Settlement Agreement ("Agreement"), with an Effective Date of April 21, 2015, between the United States of America, acting through the United States Department of Justice and on behalf of the Office of Inspector General (OIG-HHS) of the Department of Health and Human Services (HHS) (collectively, the "United States"); Family Dermatology of Pennsylvania, P.C., Paula Nelson, M.D., Family Dermatology, P.C., Paula Nelson, M.D., d/b/a

Nelson Dermatopathology and Pathology Laboratory; Databased, Inc., Yinka Adesokan, Family Dermatology Management, Inc. Family Dermatology Management of North Carolina, LLC, Family Dermatology Staffing of Pennsylvania, Inc., Family Dermatology Management of Pennsylvania, Inc. (f/k/a Family Management of Pennsylvania, Inc.), Family Dermatology of New Jersey, P.C., Family Billing Services, Inc., Adegboyega Adesokan, Adeyemi Adesokan and Relator Scott M. Ross, M.D. (“Relator”), through their authorized representatives; the United States and Relator hereby stipulate, through their undersigned counsel, to the entry of an order in Civil Action No. 1:11-CV-2413-AT (the “Civil Action”), as follows:

- a. dismissing with prejudice as to the Relator’s claims against Family Dermatology of Pennsylvania, P.C., et. al. in the Civil Action, pursuant to and consistent with the terms and conditions of the Agreement;
- b. dismissing with prejudice as to the United States’ claims against Family Dermatology, P.C., et. al. as to the Covered Conduct, as defined in the Settlement Agreement;
- c. dismissing without prejudice as to the United States as to all other claims;

- d. dismissing without prejudice as to the State of Georgia as to all claims against Family Dermatology, P.C., et. al. as the State of Georgia was not a party to the Settlement Agreement;
and
- e. reserving jurisdiction with the Court to address any claims arising from a violation of the settlement agreement.

A proposed order is attached for the Court's convenience.

Respectfully submitted,

JOHN A. HORN
ACTING UNITED STATES ATTORNEY

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May 11, 2015

CERTIFICATE OF SERVICE

I hereby certify that the United States' and Relator's Joint Stipulation for Dismissal as to Defendants and Proposed Order, were served by mailing true copies thereof by first class mail, with adequate postage affixed thereto, addressed to:

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This 11th day of May 2015.

/s/ Emily Shingler
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